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THE

SPEECHES

OF

MR. ROSS AND MR. MORRIS,

DELIVERED

IN THE SENATE OF THE UNITED STATES,

THURSDAY, THE 24th OF FEBRUARY, 1803,

IN SUPPORT OF

MR. ROSS'S RESOLUTIONS

RELATIVE TO THE FREE NAVIGATION OF THE RIVER MISSISSIPPI AND OUR RIGHT OF DEPOSIT WITHIN THE SPANISH TERRITORIES.

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OF

MR. ROSS AND MR. MORRIS,

&c.

ON the 16th of Feb. 1803, Mr. Roſs, after a very able introductory ſpeech, which has already been publiſhed in moſt of the gazettes, ſubmitted to the ſenate of the United States the following

RESOLUTIONS.

Reſolved, That the United States of America have an indiſputable right to the free navigation of the river Miſſiſſippi, and to a convenient depoſit for their produce and merchandize in the iſland of New-Orleans:

THAT the late infraction of ſuch their unqueſtionable right is an aggreſſion, hoſtile to their honour and intereſt:

THAT it does not conſiſt with the dignity or ſafety of this union to hold a right ſo important by a tenure ſo uncertain:

THAT it materially concerns ſuch of the American citizens as dwell on the weſtern waters, and is eſſential to the union, ſtrength, and proſperity of theſe ſtates, that they obtain complete ſecurity for the full and peaceable enjoyment of ſuch their abſolute right:

THAT the Preſident be authoriſed to take immediate poſſeſſion of ſome place or places, in the ſaid iſland, or the adjacent territories, fit and convenient for the purpoſes aforeſaid,

and to adopt ſuch meaſures for obtaining that complete ſecurity, as to him, in his wiſdom, ſhall ſeem meet:

THAT he be authoriſed to call into actual ſervice any number of the militia of the ſtates of South Carolina, Georgia, Tenneſſee, Kentucky, and Ohio, and the Miſſiſſippi territory, which he may think proper not exceeding 50,000, and to employ them, together with the naval and military force of the union, for effecting the object above mentioned, and that the ſum of five millions of dollars be appropriated to the carrying into effect the foregoing reſolutions, and that the whole or any part of that ſum be paid or applied on warrants drawn in purſuance of ſuch directions as the Preſident may from time to time think proper to give to the ſecretary of the treaſury.

On the 23d, the reſolutions were taken into conſideration, and ſeveral ſenators delivered their ſentiments upon the ſubject.

On the 24th, after Mr. WRIGHT, of Maryland, had made a very long ſpeech in oppoſition to the reſolutions,

Mr. ROSS

roſe and ſpoke in ſubſtance as follows:

He ſaid that the propriety of introducing theſe reſolutions became every day more apparent.—Since they had been laid on the table, our national councils had taken a new direction, and had aſſumed a much more promiſing aſpect.—Until theſe reſolutions were brought forward, there had been no military preparation;—No propoſal to detach militia;—to build arſenals on the weſtern waters;—to provide armed boats for the protection of our trade on the Miſſiſſippi.—He was happy in ſeeing gentlemen on the oppoſite ſide, purſuing a more vigorous courſe than they were at firſt inclined to adopt, and he hoped they would, before long, conſent to take ſtronger and more effectual meaſures for the ſecurity of what was in hazard.

As he had, on a late occaſion, ſtated at large his reaſons for preſenting the reſolutions, he would not detain the ſenate with a repetition of them, except where they had been miſrepreſented or diſtorted during the debate.—He could not ſuppoſe that any gentlemen would intentionally miſtate what had been ſaid; but it was very certain that ſentiments and aſſertions had been aſcribed to him, in the courſe of the diſcuſſion, not warranted by any thing he had advanced.

Every gentleman who has ſpoken in this debate, excepting the honourable gentleman from Maryland (Mr. Wright) admits that the United States have an indiſputable right to the free navigation of the river Miſſiſſippi, and to a place of depoſit in the iſland of New-Orleans.—All agree that this right is of immenſe magnitude and importance to the weſtern country.—All agree that it has been groſsly and wantonly violated —And all agree, that unleſs the right be reſtored and ſecured, we muſt and will go to war.—Upon what then do we really differ? Upon nothing but the time of acting.—Whether we ſhall take meaſures for immediate reſtoration and ſecurity, or whether we ſhall abſtain from all military preparation, and wait the iſſue of negociation. There is no diſagreement but upon this point; for if negociation fails, every man who has ſpoken has pledged himſelf to declare war.

A number of the objections made againſt the adoption of meaſures we have propoſed, deſerve to be noticed.

The honourable gentleman from New York (Mr. Clinton) when compoſing his ſpeech, had made an elaborate reſearch into ancient and modern hiſtory, for the purpoſe of ſhewing what had been the practice of nations.—He had collected all the objections together and claſſed them under three heads.—Other gentlemen who had ſpoken in oppoſition had taken nearly the ſame ground, and made in ſubſtance the ſame objections: He would, therefore, follow the arrangement made by the honourable gentleman (Mr. Clinton) and he was perſuaded that it would be eaſy to ſhew, he had in many inſtances miſtaken the moſt material features of the authorities he had adduced, and more than once miſtated the poſitions which he undertook to refute.—He has, however, admitted the magnitude of the right, that it has been violated, and that if negociation ſhould fail we muſt go to war.—He has made objections under three heads.

1. The infraction may be unauthoriſed.

2. Negociation ought, in all caſes, to precede the employment of force.

3. Reaſons of policy diſſuade from uſing force at preſent, even ſuppoſing we have juſt cauſe of immediate war.

The firſt objection had already been amply refuted by the gentleman from New-Jerſey (Mr. Dayton) the gentleman from Maſſachuſetts (Mr. J. Maſon) and the gentleman from Dela-

ware (Mr. White.) He would only further remark, that whether authoriſed or not, is not now very material.—If authoriſed, the temper the deſign muſt certainly be that of an enemy, and you ſhould act accordingly.—If unauthoriſed; ſeize the culprit and ſend him home to his maſter, who will puniſh him for a breach of duty.—Let him anſwer with his head for embroiling two friendly nations who wiſh to live in peace.—Why wait till you can ſend three thouſand miles and enquire whether he had orders or not?—He is viſibly a wrongdoer: remove him, and protect what he would wreſt from you.—No man when proceeding on the highway to market, and ſtopped by his neighbour's ſervant, would ſend out into the country to enquire whether his maſter had authoriſed the outrage.—No, he would puniſh and remove the aggreſſor and proceed on his journey, leaving the circumſtance of orders, or no orders to be ſettled between himſelf and the maſter afterwards.—Beſides, in this inſtance, the perſon inflicting the injury declares he has no right to the country. If ſo, why make enquiry whether he has orders? No orders could give him authority to interfere with your unqueſtionable right, where his maſter pretends to no right himſelf.

Under this head of aggreſſion and ſpoliation, the ſenator from New-York (Mr. C.) in a tone and manner little decorous in debate, had declared it to be within his (Mr. R's) knowledge, that indemnity had been provided by Spain for the ſpoliations committed upon our trade, and yet the aſſertion had been made, that Spain had refuſed all redress for injuries of that kind; and the gentleman alluded to documents before the ſenate which were under the injunction of secrecy.

Sir, ſaid Mr R. I have ſeen thoſe documents, and I now repeat and re-aſſert, that I know nothing to warrant the opinion or belief that Spain will make compenſation for all ſpoliations of our merchants, or for the greater part or maſs of them.—I certainly never did ſay that Spain had refuſed all redreſs; for it will be recollected by all preſent, that I expreſsly ſtated, the other day, the injuries done to us by the Spaniards themselves in every place they had found our flag—*and that our veſſels were carried into their ports by French cruiſers, condemned without the ſemblance of a trial, and our citizens thrown into priſon.*—That if we took poſſeſſion of the country on the Miſſiſſippi we ſhould have an ample fund in our

hands to compensate all our merchants who had ſuffered from the conduct of the Spaniards:—That the merchants would willingly accept ſuch an advantageous offer:—and that otherwise there was no reaſon to hope that they would *all be indemnified:* and I now return to that gentleman his own words, that he does know, and muſt be ſenſible, from the very documents he has alluded to, that there is little if any hope that the great body of injuries and loſſes ſuſtained by our merchants from the Spaniards in different quarters of the world, and the conduct of the French in Spaniſh ports will ever be compensated or paid by Spain, unleſs in the mode that I had ſuggested.

The ſame gentleman had ſaid, that we have no facts reſpecting Spaniſh ſpoliation authenticated and reported to us, and offers this as a further reaſon for delay and negotiation.—The facts of ſpoliation, and vexatious, oppreſſive conduct towards our merchants, and ſeamen, as well on the ſea as within the jurisdiction of the Spaniſh government, both in Europe and America, were ſo notorious and of ſuch extent and continuance, that no man could doubt, or deny the aggravated ſeries of outrage and oppreſſion which we had experienced.—Although the executive, or other officers of government may not have collected and reported theſe complaints to this houſe, yet this forms no excuse for the aggreſſors, much leſs a reaſon why we ſhould abſtain from giving attention to them while conſidering indignities of another deſcription. But, that the gentleman might never again be able to ſay that he had met with no authenticated caſe of ſpoliation by the Spaniards, he would now produce and read one to the ſenate, which had been delivered to him for the purpoſe of obtaining the aid of our government to get reparation.—The men who had been robbed were induſtrious inhabitants of the weſtern country, who lived near Pittſburgh.—They deſcended the Miſſiſſippi with a cargo of flour, and finding but a low market at New-Orleans, ſhipped their flour on board of an American veſſel, and after being two or three days at ſea, were taken by Spaniſh veſſels, carried into Campeachy, their flour ſold, their captain cast into priſon, themſelves reſtrained of their liberty; ſeveral died in this captivity; and thoſe who returned home had no allowance made to them by the Spaniards for their property thus unjuſtly captured, and of courſe

they only returned to witneſs the ruin of their families by a loſs of property which they had not the means of paying for, having purchaſed on credit. There could be no excuſe for the capture; theſe men lived in the interior country, they were cleared out from a Spaniſh port, in an American veſſel: yet all theſe circumſtances could not ſave them from the rapacity of the Spaniards.

[Here Mr. R. read the proteſt of ſeveral American citizens before Mr. Morton, the American conſul at Havannah, ſtating the capture of their veſſel, their captivity at Campeachy, the loſs of all their property, and that they lived in the weſtern country, from which they had gone down the Ohio with this flour to New-Orleans.]

Mr. R. ſaid here was a caſe of prodigious hardſhip and oppreſſion ariſing out of the very trade and intercourſe which the Spaniards had at laſt undertaken to obſtruct and deſtroy; and therefore he thought it proper to be brought forward during this diſcuſſion, to ſhew the temper and the conduct of theſe people towards us before they had proceeded to the laſt extremities.

The ſecond objection taken by the gentleman from New-York (Mr. C.) and indeed by all who had ſpoken againſt the reſolutions, amounted to this:—That every nation was bound to demand ſatisfaction for an injury before it employed force for redreſs; and that a refuſal of ſatisfaction muſt precede the uſe of force.

However humane or ſalutary the general principle might be, certainly it did not hold univerſally, or to the extent that gentleman contended. No book, no writer of authority, had ever contended that this principle ſhould operate when the eſſential rights, the well-being, or the peace of the country were expoſed to danger, and the rule had no application but to inferior or minor rights of the ſociety, where delay and negociation might be ſafely reſorted to.—No man could ſay, that this rule would hold where an army was marched to your frontier or landed upon your territory; or a fleet blockaded your harbours, or demanded contribution from your ſeaports. —Such caſes admitted not of negociation: the intention of the aſſailant was manifeſt, the danger imminent, and immediate uſe of force and hoſtility unavoidable by the moſt peaceable nation.—It would be ſaid that theſe were extreme caſes and

formed exceptions to the general rule.—They certainly demonſtrated that the rule was not ſo general as gentlemen contended for, and when the caſe at preſent under conſideration is carefully examined it will be found among thoſe eſſential and all important rights of the nation, which, when attacked, immediate force ſhould be employed to repel the aſſailant. In caſes of invaſion, the mere poſſeſſion of a ſmall portion of your ſoil, is not the primary conſideration; you are impreſſed with the approach of further and more ſerious injury. The hoſtile intention is manifeſt, the act ſuch as to leave no doubt, and your right ſuch as can never be abandoned.—So here, though there be no actual aggreſſion within the limits of your territory, yet you have a territorial right attached to your ſoil conſtituting its only value, which is directly attacked and deſtroyed. Of what value is the territory when ſtripped of this right? Where is your independence, where is your ſovereignty in that country without the unreſtrained exerciſe of this right? Without it the mere ſoil is of no value. It is an attribute inſeparable from the ſubſtance. To attack it, is to attack your very exiſtence, for it is the great artery of the weſtern country, the circulation through which, when ſtopped, endangers convulſion and political death. The deſtruction of this right is a greater calamity, than a blockade of a ſeaport, or even a landing on the Atlantic coaſt.—The miſchief is incurable. Can it then be ſaid when this vital part of the nation is aſſailed, you will wait for information of the intent?—You will enquire into the motives? You will not employ force to reſiſt the attack, although you may be undone before you can receive an anſwer? You will hazard convulſion and diſſolution, becauſe poſſibly the aggreſſor has reaſons for the outrage that you do not yet know!—This cannot be wiſe, it cannot be the courſe which national honour or ſafety calls upon us to purſue; becauſe you never can abandon the right now denied and wreſted out of your hands; you can no more abandon it, than any other portion of country within your territorial limits, when invaded by an enemy.

But in whoſe favour is this delay aſked? With whom are you going to negociate for reparation of the injury? Why with thoſe, who, by their own confeſſion, have no right in the country from which they exclude you. When you enquire

of the court of Spain what has led them to this outrage, they may reply, we know and care nothing about it; that country is no longer ours; we have abandoned all claim to it, and ordered our officers to withdraw.—The title is now in another. Will this ſatisfy you? Will it redreſs the injury? Where will you go next? Or how long will you wait for an anſwer to the queſtion of who turned us out of doors and keeps us out? You have the ſame reaſons for a ſecond as for the firſt delay; and in the meanwhile you are out of actual poſſeſſion; the wrongdoer is in.

But, ſir, we are triumphantly told, that it has been the practice of all civilized nations to negociate before they go to war. Round aſſertions, like general rules, are to be received with exceptions and great allowance. I diſpute the fact; although my argument does not need this kind of aid; for I am perſuaded there is no precedent of an independent nation relying upon negociation alone, in ſuch circumſtances. If you go to books, or to the example of other countries, you will find no dictum of a writer, nor inſtance of a ſtate, that will juſtify the courſe now held by gentlemen on the other ſide. For wherever the nation has been invaded, its vital intereſts attacked, its exiſtence drawn into hazard, its eſſential rights expoſed to immediate deſtruction, every writer and every ſtate will bear you out in reſorting without delay, to the ſtrongeſt means in your power for repelling the aggreſſor.

The conduct of the Romans has been more than once mentioned—Their hiſtory is handed down to us by themſelves, and even in that we ſhall too often find, that while their miniſters of peace were affecting to demand reparation, the Conſul had advanced with his eagles to the frontier, and was ready to enter the country where the negociation was pending; we ſhall find that they negociated often and long, when it did not ſuit them to commence an immediate attack; and the negociations, eſpecially when at a diſtance, were protracted, until their armies had been recruited; wars nearer home ended; and every thing ready to ſtrike a deciſive blow.—But you have no inſtance of negociation without military preparation, where the Roman territory was invaded, or a Roman treaty violated.

Leaving antiquity, the honourable gentleman (Mr. C.) has adduced and extolled the example of England in modern times,

and traced her through many ſcenes both of negociation and war. But he did not dwell upon her conduct in the beginning of the war of 1756, when all the commerce of France was deſtroyed by a general ſweep, without a previous declaration of war; and yet this was ſo certainly the caſe, that the gentleman muſt well remember it formed a ſubject of complaint, and was used to protract the negotiation for a general peace in 1763.—He has alſo forgotten their conduct towards the Dutch during our revolutionary war; and their late armament againſt the Danes.—His comments alſo upon the conduct of their miniſtry in 1762, were peculiarly unfortunate, becauſe we know, that the nation was afterwards actually obliged to declare war againſt Spain, when ſhe had full notice of their intention, and time to prepare for the attack; whereas had war been waged when the hostility of Spain and her ſecret alliance with France, were firſt aſcertained, they would have poſſeſſed prodigious advantages which were loſt by ineffectual negociation and delay.

I will not follow the gentleman to Nootka Sound, to the Bay of Honduras, or the Muſquito Shore; but I will at once admit, that in caſes of minor rights, of ſpoliation upon commerce in time of war, nay in all caſes that do not involve the well-being, or national independence, negociation, and amicable adjuſtment ſhould be reſorted to; and demand of reparation ſhould precede actual hoſtility. I will even ſay, that were the Spaniards to croſs the Miſſiſſippi at the Falls of St. Anthony and build a fort on our ſide of the river, place a garriſon in it, and thus actually invade our territory; in my opinion we ought to negociate and demand explanations before we ſent troops to demoliſh the fort. Although the act would juſtify the immediate uſe of force, yet the ſtation is ſo remote, and of ſo little importance in the uſe of it, that friendly means might be ſafely and wiſely reſorted to in the firſt inſtance.

Quitting Europe, the gentleman exultingly appeals to the uſages of our own country, in caſes which he alledges were either ſimilar to, or ſtronger than the preſent. The name of WASHINGTON is introduced to ſilence all further diſpute on this queſtion!!!—Sir, I reverence the authority of that great man's official conduct.—He was the father of his country, the terror of its enemies, and the ornament of human nature. He is now gone to mix with the heroes and ſages of other

times and nations in a happier world; but it was eaſily foreſeen that thoſe who ſeldom agreed with him in his life, would be the firſt after his death, to fly for ſhelter to his example, when overtaken by calamity or misfortune! That man led the armies of this country to victory—to independence.—He knew better than any man the intereſts, the feelings, the diſpoſitions of the people.—He witneſſed the origin and progreſs of complaints on both ſides reſpecting the inexecution of the treaty of peace between us and Great Britain. We juſtly reproached them with detention of the weſtern poſts, and their refuſal to deliver our ſlaves, as ſtipulated by treaty:—They replied that we did not pay them our old debts. Theſe diſputes became the ſubject of negociation, under the old confederation, and we had a miniſter in that country who attempted an amicable adjuſtment. When General WASHINGTON came to the head of our preſent government, he ſent another miniſter to that country, and while he was endeavouring a peaceable accommodation, a ſtorm broke out in France, which ſoon ſpread beyond its own boundaries, and involved the neighbouring nations in war. The rulers of France, wiſhing to engage us in their quarrel, ſent a miniſter to this country with expreſs inſtructions to embroil us, if poſſible, in this deſolating war. Unfortunately that miniſter poſſeſſed abilities and diſpoſition well adapted to ſuch a miſſion. He landed in a part of our country remote from the ſeat of government, and inſtantly began to iſſue his commiſſions to our citizens not only to equip privateers and plunder the commerce of nations with whom we were at peace, but to inliſt men and raiſe a military force within the United States, for the purpoſe of attacking the poſſeſſions of Spain in Florida. He travelled onward from Charleſton towards the ſeat of government, making proſelytes as he advanced, and gaining new adherents at every ſtep of his journey. He was received with acclamations of the livelieſt joy in the capital city of this country, and after employing all the ſoothing arts of fraternization, civic feaſts, and publick ſpectacle, he proceeded, as before, with his commiſſions, and actually inſiſted upon and exerciſed the right of bringing into our ports and ſelling prizes taken from nations with whom we were at peace. This miniſter had the addreſs to ſeduce many of our citizens to inliſt under his banner; and but too many, even of our

reſpectable men in high employment, applauded his conduct and gave his meaſures a countenance they did not deſerve. All ranks ſeemed pleaſed with the zeal and the boldneſs of the min ſter's mind, and an union of this country with France in the war ſeemed inevitable, as no effectual ſteps had been taken to reſtrain this wild, extravagant condition of things among us. I mention not theſe events with a wiſh to hurt the ſenſibility of any one, for I know that this country was then without experience; we had never before been in the relation of neutrality towards powers at war, and we entertained a lively affection for France, becauſe ſhe had aided us in the revolution war, and was then, as we thought, contending for liberty herſelf. The reſpectable men who, led away by their feelings, joined in the phrenzy of that time, would not now diſplay ſuch opinions, or enter upon any publick act to commit or endanger the peace and honeſt nutrality of their country.

Very unfortunately, however, we had then here a miniſter from Great Britain who was but little inclined to promote good underſtanding, and who probably tranſmitted diſcoloured accounts of all that paſſed from day to day. Things were ſufficiently wrong without any exaggeration of their enormity. When theſe accounts reached England, was it wonderful that they conſidered war as begun? Was it ſtrange that they ſhould count upon hoſtility, when the acts of the people aſſumed but one complexion; when the government had not taken means to do juſtice and prevent ſuch injuſtice; where their ſhips were ſold by their enemies and every indignity put upon their ſubjects? Hence we may trace the orders for ſpoliations; Hence the talk of Lord Dorcheſter to the Indians, and the other aggreſſions on the weſtern frontier, which, however unjuſtifiable, were not altogether without provocation.

In the meanwhile, the French miniſter increaſed in his activity and boldneſs of enterpriſe, under the very eye of our government; he multiplied his complaints againſt the executive, and his careſſes and profeſſions upon the people, until at laſt, confident in his numbers and ſupport, he ſet the preſident at defiance, and threatened an appeal to the people. At that awful criſis of deluſion, WASHINGTON came forward, Moſes like, and put himſelf in the gap between the peſtilence

and the people.—He demanded the miniſter's recal; he was recalled—He arreſted the hands of our citizens who were armed to plunder in time of peace—He enforced the obſervation of the rules of juſtice and neutrality. When theſe things became known in England, they produced a revocation of the orders to plunder our merchants. But the havoc and deſtruction had been dreadful; we were highly and juſtly incenſed, the blood of both nations was up—It had ſcarcely cooled, and was eaſily rouſed to be ready for war. If the Britiſh had not recalled their orders of November, 1793, we undoubtedly ſhould have inſtantly gone to war.—It would have been unavoidably, nay abſolutely neceſſary. But when the revocation of thoſe orders was known here, our Preſident conſidered that our own conduct had not been perfectly regular; there was ſome cauſe of complaint againſt us, in the midſt all the just complaints we had againſt the Britiſh cruiſers; there were alſo old differences which had created great uneaſineſs between the two countries. In the recent cauſes of quarrel we had been the firſt in ſuffering improper acts to be done by a foreign agent within our own territory which we ought to have prevented as neutrals.—Under all theſe circumſtances, being already engaged in an Indian war, he reſolved to try negociation.—An envoy extraordinary was accordingly ſent.

How does all this apply to the preſent caſe? There had been old, unſettled differences with England—ours with Spain were ſettled by the treaty of 1795.—There were horrible ſpoliations upon our trade by Britain, but we had permitted acts towards them with which we were obliged to reproach ourſelves.—Spain has alſo ſpoiled our commerce, and to an immenſe extent, without provocation. For that, the caſe of England would ſay negociate, and we have actually been negociating. But had England blockaded your harbours, had ſhe ſhut out half a million of your people from acceſs to the ocean, had ſhe cloſed up the Cheſapeake or the Delaware, would there have been negociation? No. You would, you muſt have had immediate war. Such an invaſion of the ſovereignty and independence of the country would have left no heſitation in the mind of any man; but fortunately as our affairs then ſtood we were not obliged to reſort to hoſtilities. The man of high talents who undertook to negociate, ſucceeded in forming a treaty between the two countries.—Such, how-

ever, were the paſſions of the times, that the negociator was groſsly calumniated. The treaty was oppoſed by the formidable array of all the artillery of popular opinion organized in town meetings, played off along the coaſt from Boſton to Charleſton under the direction of the ableſt engineer in this country.—Publick opinion was again ſhaken, but finally peace was preſerved, the treaty went fairly into execution, and even the negociator was elected their governor, by the people of his own ſtate, where he preſided for a long time with honour to himſelf and infinite advantage to the intereſts and peace of the ſociety, until at length he retired from publick life, leaving an example which will always be uſeful for imitation, and ſerve at the ſame time as a ſevere reproof to thoſe who may materially depart from it.

Our differences and negociations with England, then, furniſh an intereſting and ſerious view of the courſe we have taken in troubleſome times, but certainly do not preſent any thing like the preſent caſe. For although they actually held our weſtern poſts and built a new fort at the foot of the rapids of Miami, yet, we had never been in poſſeſſion of thoſe poſts, we had not purchaſed the country from the Indians, we had no ſettlements near to it, no great portion of our citizens were obſtructed or cut off from the free exerciſe of their rights, and there were mutual complaints, perhaps mutual enquiries, between the parties which ſeemed to require negociation as the the only mode in which they could ever be terminated.

Next comes our difference with Spain. To this it may be anſwered briefly :—That we made a treaty with that power ; difficulties aroſe reſpecting the execution of that treaty; we had not then been in the poſſeſſion or exerciſe of the rights claimed under the treaty.—The Spaniards delayed and evaded the execution, in a very unjuſtifiable manner.—But the adminiſtration of that day did not rely upon negociation alone ; they ordered troops to the Ohio, and had the Spaniards perſiſted in their refuſal, thoſe troops would have acted deciſively, without any new application to the court of Spain.—They ſaw the approaching ſtorm ; they entered upon the execution of the treaty, by running the line, and giving up the poſts ; and, if the war office be examined, gentlemen will find that our troops were then ſo diſpoſed as to fall down the river Miſſiſſippi, and act with effect, at any moment. It was well known to

us that Spain did not act in that buſineſs from the mere impulſe of her own intereſts or wiſhes. She was then, and is ſtill, under the irreſiſtible influence of a powerful neighbour, with whom we at that time had ſerious differences—She was urged and puſhed forward by France. For Spain until ſhe became thus dependent upon France, has ranked high for her good faith, and, in my own opinion, deſervedly higher than any other court in Europe. Slow to promiſe ſhe has always fulfiled her engagements with honour, according to the ſpirit, without cavilling about the words of her treaties.

When we were aware of all theſe things, when there was no abſolute refuſal, but only delay and evaſive excuſes about the execution, not about the right, it would not have been wiſe to precipitate an abſolute rupture between the two countries.

The proceedings with France are next adduced. Theſe are freſh in the memory of every one, and need not be repeated. There was no blockade, no denial of egreſs to the ocean, no invaſion, no territorial diſmemberment, no attack upon the country which required the immediate uſe of force. True, they captured your ſhips, they heaped indignities upon you; but they alſo alledged that you had firſt broken the treaty of alliance. You negociated: what elſe could you do? You had no navy. You could not go in queſt of them, and they did not attempt to land on your ſhores. When their agreſſions roſe to ſuch a height as to be tolerated no longer, and defenſive war was reſolved on, what was the conduct of the minority then? Did they come forward and offer their ſupport like the minority now? No ſir: they declared the adminiſtration was blameable; that the French had been provoked; that peace was ſtill attainable by negociation, and war at all events to be avoided. Look at the debates of that day, and you will diſcover that many leading men contended that our own government was altogether in the wrong and France in the right. Such was the impreſſion abroad, that Talleyrand inſultingly boaſted of a party in our own country and threatned us with the fate of Venice; and when the ſacred right of embaſſy was trampled upon, as ſtated by the honourable gentleman from New-York, ſtill the cry at home was negociate, negociate. Surely there is very little if any reſemblance between that caſe and this. However juſtifiable a war would

have been then, we muſt have gone abroad to ſeek our enemy; now he has come to our doors, and ſtripped us of what is moſt precious and dear to us as an independent nation.

We are next told, under the third head of objections, That our national debt will be encreaſed by war; that war will be the neceſſary conſequence of the reſolutions; that our object is war.

Sir, our object is not war, but the attainment of ſecurity for a right without which our union, our political exiſtence, cannot continue. In ſeeking this ſecurity, ſhould war ariſe, it will be a leſs evil than inſecure and deluſive hopes of tranquillity. No doubt war will increaſe your publick debt, but not more nor ſo much as vain attempts to ſecure this right another way, and after failing you muſt have a war.

But your merchants will not obtain indemnities for ſpoliations. Their chance is but precarious now, and would be altogether as great in the way we propoſe to take.

Seaports will be blockaded and the Miſſiſſippi ſhut.—The firſt is not probable, and as to the laſt, all the weſtern people muſt be ſatisfied when they ſee their country maintaining and aſſerting their right. The very effort to maintain it will conſume a great portion of the reſources and afford an extenſive market to the aggrieved people, by ſupplying your military force. The river may as well be ſhut up completely as be in its preſent condition.

An honourable gentleman (Mr Wright) has ſaid that we may have a place of depoſit within our own territory and navigate the river from thence.

The gentleman certainly has not well conſidered this ſubject. The neareſt point upon our territory is three hundred miles from the ſea. The river crooked, the current rapid, the anchorage bad. A favourable wind in one direction of the river would be adverſe at the next bend. Ships could never aſcend in any reaſonable time, nor could they gain any point on our own territory when they are forbidden to touch the ſhore even to faſten a cable or towline. Without the previlege of the ſhore, the navigation would be impracticable.

The honourable gentleman from New-York had advanced a moſt extraordinary poſition;—That if our adverſaries have time to prepare we alſo have time to prepare—Yet he reſiſts the reſolutions and propoſes no effectual military preparations.

While they are buſy we are to be idle—When they make the ſtroke, we are in our preſent defenceleſs ſtate. Next year we ſhall be as weak and expoſed as now, our commerce equally ſcattered over the ocean, our ſeaports as defenceleſs, our army and navy as weak, and they have then poſſeſſion of the diſputed ſpot with an armament to annoy us and maintain their poſſeſſion.

The honourable gentleman from Kentuckey (Mr. Breckenridge) diſclaims all apprehenſion of diſguſt, or diſaffection among his conſtituents or any of the weſtern people. They were not always in this mild, forbearing temper upon the ſubject of the Miſſiſſippi. It muſt be in the recollection of that gentleman, that Mr. Genet ſent emiſſaries into Kentuckey, diſtributed commiſſions there for enliſting men, and raiſing an army to take New-Orleans, and open the navigation of the Miſſiſſippi to the weſtern people. A very gallant and able officer accepted the commiſſion of general on this expedition, and would undoubtedly have executed it, had not the recal of the French miniſter, and the failure of the promiſed reſources defeated the enterprize. What reaſon was there to ſuppoſe they would be more forbearing now? That officer was ſtill alive, and if he were to erect his ſtandard, the conſequences could not be very doubtful.

The honourable gentleman from Georgia (Gen. Jackſon) agrees with us in every thing except as to the *time of acting*. He wiſhes to make an experiment at negociation, but admits the magnitude of the diſpute, and that it involves the very exiſtence of Georgia and the ſouthern ſtates.

If the late events had happened upon St. Mary's, or if the Savannah had been ſhut up by the Spaniards, there would have been little doubt of the courſe that gentleman would have purſued. The news of the aggreſſion and of the aggreſſors' graves would have reached the ſeat of government by the ſame mail. He would not have waited to enquire by whoſe orders they came there, or whether they could be negociated out of Georgia.

Although the honourable gentleman diſagrees with us as to the time of acting, yet he has very honourably pledged himſelf for the ultimate reſult, ſhould negociation fail, and while it is impoſſible to agree with what he has ſaid reſpecting the ordinary force of the country driving the new occupants from

their faſtneſſes and forts in the marſhes of Florida or New-Orleans, yet, ſir, there can be no doubt that the ſpirit which diſdains to think of the hazard of ſuch an enterprize is of the utmoſt value to our country. For my own part, I have a pleaſure in declaring my wiſh that the gentleman now lived on the Miſſiſſippi, and that he had authority from this government to act: I ſhould have no doubt of the reſult, nor of the confidence and univerſal conſent with which he would be ſupported. But he is certainly too much a ſoldier not to diſcern that previous poſſeſſion by a powerful enemy will require the labours and blood of a diſciplined army, and the delay and ſkill requiſite for the attack of a fortified country.

We come now to conſider the reſolutions offered as a ſubſtitute—It is highly gratifying to find that gentlemen are at laſt inclined to act—To do ſomething like defending the rights of our country—Is there any new ſhape given to this buſineſs by the propoſed ſubſtitute? We propoſe 50,000 militia—They ſubſtitute 80,000.—To do what? Will gentlemen tell us the difference?—It is ſaid ours are abſolutely imperative;—If ſo, alter them and give an unqualified diſcretion.—We will agree to it. My own opinion is that they ſhould be immediately acted upon. If the majority wiſh for a bare diſcretionary power, I aſſent to it. There is no difference except that one ſet of reſolutions puts greater power into the hands of the Preſident than the other. Are gentlemen on the other ſide afraid to truſt the Preſident? Do they think he will abuſe this power? Will it hurt the negociation? Inſtead of hurting it, our miniſter ought to carry this act to Europe with him. He is not yet gone and it may be ſent with him—He would then have more means and more forcible arguments to urge in his negociation.

This whole ſubject was known at the meeting of congreſs; yet no ſtep taken till our reſolutions were propoſed. Now gentlemen are willing to do ſomething!—They ſeem willing to give means to a certain extent. Why not amend our reſolutions, when their own are but a qualification of ours? We have but ſeven days to the end of this ſeſſion. Why diſpute about a ſubſtitute, when amendments may be made to meet gentlemen's wiſhes? They agree to go a certain length; then ſay ſo, and ſtrike out the reſt. Certainly we will go with you as far as you propoſe, for we have offered to go farther.

But gentlemen ſay they have full confidence in the negociation. Be it ſo—I cannot doubt the aſſertion of the gentleman, although I draw a different concluſion from the ſame facts. But let me preſent this queſtion in a new ſhape, not yet offered in this houſe. We are not deliberating about the right of depoſit in New-Orleans merely, nor about the iſland of New-Orleans; we are told that we are to look for new and powerful neighbours in Louiſiana. What right has Spain to give us theſe neighbours without conſulting us? To change our preſent ſecurity into hazard and uncertainty? I do not believe that Spain has any right to do ſo. What are the limits of Louiſiana? It extends three thouſand miles upon your frontier. New-Orleans is ceded with it. Then the province of Louiſiana and New-Orleans lie between the Floridas, and the other Spaniſh dominions on this continent. It is not difficult to pronounce who will command and own the Floridas. They muſt belong to the maſter of Louiſiana and New-Orleans. Then the owners poſſeſs the lock and key of the whole weſtern country. There is no entrance or egreſs but by their leave. They have not only 3,000 miles on your frontier in the interior country, but they have the command of your outlet to the ocean and 700 miles of ſea-coaſt embracing the fineſt harbours in North-America. This makes them, in fact, maſters of the weſtern world. What will you give them for this enviable dominion? Not territory, for you have none to ſpare and they want none. Not commercial privileges—they will not want them, for they will then have enough and to ſpare—What equivalent have you? What can you offer to men who know the value of ſuch a country? What would this ſenate take for the ſurrender of ſuch an eſtabliſhment were it ours? Let every ſenator aſk himſelf the queſtion and declare by what rule of eſtimation his anſwer would be dictated.

But I know it has been ſaid, and will be ſaid again, that the new French owners will confirm or permit our right of depoſit and free navigation of the Miſſiſſippi.—They will open a free port and give us all we deſire.

Yes, ſir, this would be the unkindeſt cut of all. I fear much leſs the enmity of the preſent poſſeſſors, than ſuch neighbours. We ſhall hold by their courteſy, not by the protection of our own government. They will permit, but you

cannot inforce. They will give us all the advantages we now have and more: But will it be for nothing? Will they aſk no return? Have they no ulterior views? No—During this inſidious interval they will be driving rivet after rivet into the iron yoke which is to gall us and our children. We muſt go to market through a line of batteries manned by veterans; and return home with our money through a fortified camp. This privilege will be held at their will, and may be withheld whenever their Intendant forbids its further continuance.

No doubt my earneſtneſs may have betrayed me into expreſſions which were not intended. Every honourable gentleman will therefore conſider me as addreſſing his reaſon and judgment merely, without meaning to give cauſe of offence. But I cannot conclude without addreſſing myſelf particularly to thoſe ſenators who repreſent the weſtern ſtates. I entreat them to remember that theſe reſolutions are intended to veſt a power which may or may not be uſed as events ariſe. If events ſhould ſhew in the receſs that negociation muſt fail, what is the Preſident to do? He muſt call congreſs. This will conſume time, and the enemy gains immenſe advantages. Why not put a force at his diſpoſal with which he can ſtrike? With which he can have a pledge for your future well-being? When the Atlantic coaſt is willing, ſhall this ſecurity be loſt by your votes? Are you ſure that you will ever again find the ſame diſpoſition? Can you recal the deciſive moment that may happen in a month after our adjournment? Certainly the country may be in ſuch a ſtate that at the next ſeſſion you will have no ſuch offer as at the preſent moment. There may be a preſſure which would forbid it. Heretofore you have diſtruſted the Atlantick ſtates; now when they offer to pledge themſelves, meet them and cloſe with the propoſal. If the reſolutions are too ſtrong, new model them. If the means are not adequate, propoſe other and more effectual meaſures. But as you value the beſt intereſts of the weſtern country, and the union with the Atlantick coaſt, ſeize the preſent occaſion of ſecuring it forever. For the preſent is only a queſtion of how much power the executive ſhall have for the attainment of this great end, and no man deſirous of the end ought to refuſe the neceſſary means for attaining it. Your voice decides the direction this ſenate will take, and I devoutly wiſh it may be one we ſhall never repent.

It was four o'clock when Mr. Roſs concluded his ſpeech.

Mr. MORRIS

moved an adjournment. This was refuſed. He then roſe and addreſſed the preſident as follows:

Mr. President,

I RISE with reluctance on the preſent occaſion. The lateneſs of the hour forbids me to hope for your patient attention. The ſubject is of great importance, as it relates to other countries, and ſtill greater to our own: yet we muſt decide on grounds uncertain, becauſe they depend on circumſtances not yet arrived. And when we attempt to penetrate into futurity, after exerting the utmoſt powers of reaſon, aided by all the lights which experience could acquire, our cleareſt conceptions are involved in doubt. A thouſand things may happen which it is impoſſible to conjecture, and which will influence the courſe of events. The wiſe Governor of all things hath hidden the future from the ken of our feeble underſtanding. In committing ourſelves, therefore, to the examination of what may hereafter arrive, we hazard ~~refutation~~ on contingencies we cannot command. And when events ſhall be paſt, we ſhall be judged by *them*, and not by the reaſons which we may now advance.

There are many ſubjects which it is not eaſy to underſtand, but it is always eaſy to miſrepreſent, and when arguments cannot be controverted, it is not difficult to calumniate motives. That which cannot be confuted, may be miſtated. The pureſt intentions may be blackened by malice; and envy will ever foſter the fouleſt imputations—This calumny is among the ſore evils of our country. It began with our earlieſt ſucceſs in ſeventy-eight, and has gone on with accelerated velocity and encreaſing force to the preſent hour. It is no longer to be checked, nor will it terminate but in that ſweep of general deſtruction, to which it tends with a ſtep as ſure as time, and fatal as death. I know that what I utter will be miſunderſtood, miſrepreſented, deformed, and diſtorted; but we muſt do our duty—This I believe is the laſt ſcene of my publick life; and it ſhall, like thoſe which preceded, be performed with candour and truth. Yes, my noble friends [addreſſing himſelf to the federal ſenators near him] we ſhall ſoon

part to meet no more. But however ſeparated, and wherever diſperſed, we know that we are united by juſt principle and true ſentiment. A ſentiment, my country, ever devoted to you, which will expire only with expiring life, and beat in the laſt pulſation of our hearts.

Mr. Preſident, my object is peace. I could aſſign many reaſons to ſhew that this declaration is ſincere. But can it be neceſſary to give this ſenate any other aſſurance than my word? Notwithſtanding the acerbity of temper which reſults from party ſtrife, gentlemen will believe me on my word. I will not pretend, like my Hon. colleague (Mr. Clinton) to deſcribe to you, the waſte, the ravages, and the horrors of war. I have not the ſame harmonious periods, nor the ſame muſical tones; neither ſhall I boaſt of chriſtian charity, nor attempt to diſplay that ingenuous glow of benevolence ſo decorous to the cheek of youth, which gave a vivid tint to every ſentence he uttered, and was, if poſſible, as impreſſive even as his eloquence. But though we poſſeſs not the ſame pomp of words, our hearts are not inſenſible to the woes of humanity. We can feel for the miſery of plundered towns, the conflagration of defenceleſs villages, and the devaſtation of cultured fields. Turning from theſe features of general diſtreſs, we can enter the abodes of private affliction, and behold the widow weeping as ſhe traces, in the pledges of connubial affection, the reſemblance of him whom ſhe has loſt forever. We ſee the aged matron bending over the aſhes of her ſon.—He was her darling; for he was generous and brave, and therefore his ſpirit led him to the field in defence of his country. We can obſerve another oppreſſed with unutterable anguiſh. Condemned to conceal her affection; forced to hide that paſſion which is at once the torment and delight of life, ſhe learns that thoſe eyes which beamed with ſentiment are cloſed in death; and his lip, the ruby harbinger of joy, lies pale and cold, the miſerable appendage of a mangled corſe. Hard, hard indeed muſt be that heart which can be inſenſible to ſcenes like theſe, and bold the man who dare preſent to the Almighty Father a conſcience crimſon'd with the blood of his children.

Yes, ſir, we wiſh for peace: but how is that bleſſing to be preſerved? I ſhall repeat here a ſentiment I have often had occaſion to expreſs. In my opinion, there is nothing worth

fighting for but national honour: for in the national honour is involved the national independence. I know that a ſtate may find itſelf in ſuch unpropitious circumſtances that prudence may force a wiſe government to conceal the ſenſe of indignity. But the inſult ſhould be engraven on tablets of braſs with a pencil of ſteel. And when that time and chance which happen to all ſhall bring forward the favourable moment, then let the avenging arm ſtrike home. It is by avowing and maintaining this ſtern principle of honour, that peace can be preſerved. But let it not be ſuppoſed that any thing I ſay has the ſlighteſt alluſion to the injuries ſuſtained from France while ſuffering in the pangs of her revolution. As ſoon ſhould I upbraid a ſick man for what he might have done in the paroxiſms of diſeaſe. Nor is this a new ſentiment: it was felt and avowed at the time when theſe wrongs were heaped on us, and I appeal for the proof to the files of your Secretary of State. The deſtinies of France were then in the hands of monſters. By the decree of Heaven ſhe was broken on the wheel, in the face of the world, to warn mankind of her folly and madneſs. But theſe ſcenes have paſt away. On the throne of the Bourbons is now ſeated the firſt of the Gallic Cæſars. At the head of that gallant nation is the great, the greateſt, man of the preſent age. It becomes us well to conſider his ſituation. The things he has achieved compel him to the achievment of things more great. In his vaſt career we muſt ſoon become objects to command attention. We too in our turn muſt contend or ſubmit. By ſubmiſſion we may indeed have peace alike precarious and ignominious. But is this the peace which we ought to ſeek? Will this ſatisfy the juſt expectation of our country? No. Let us have peace permanent, ſecure, and, if I may uſe the term, independent. Peace which depends not on the pity of others but on our own force. Let us have the only peace worth having, a peace conſiſtent with honour.

A gentleman near me (Mr. Jackſon) has told us the anecdote of an old courtier who ſaid that the intereſt of his nation was the honour of his nation. I was ſurprized to hear *that* idea from *that* gentleman. But it was not his own. Such is that gentleman's high ſenſe of his perſonal honour, that no intereſt would induce him to ſacrifice it. He would not permit the proudeſt prince on earth to blot or ſoil it. Millions

would not purchaſe his honour, and will he feel leſs for the honour of his country? No, he will defend it with his beſt blood. He will feel with me that our national honour is the beſt ſecurity for our peace and our proſperity. That it involves at once our wealth and our power. And in this view of the ſubject I muſt contradict a ſentiment which fell from my honourable colleague (Mr. Clinton). He tells us that the principle of this country is peace and commerce. Sir, the avowal of ſuch principle will leave us neither commerce nor peace. It invites others to prey on that commerce which we will not protect, and ſhare the wealth we dare not defend. But let it be known that you ſtand ready to ſacrifice the laſt man and the laſt ſhilling in defence of your national honour, and thoſe who would have aſſailed will beware of you.

Before I go into a minute conſideration of this ſubject I will notice what the gentlemen oppoſed to me have ſaid on the law of nations. But I muſt obſerve that, in a conjuncture like the preſent, there is more ſound ſenſe and more ſound policy in the firm and manly ſentiments which warm the hearts of my friends from Delaware, than in all the volumes upon all the ſhelves of the civilians. Let us however attend to the reſults of thoſe logical deductions which have been made by writers on the law of nations. The honourable member from Kentucky (Mr. Breckenridge) has told us that ſovereigns ought to ſhew a ſincere deſire of peace, and ſhould not haſtily take offence, becauſe it may be that the offenſive act was the reſult of miſtake. My honourable colleague has told us, that among the juſtifiable cauſes of war are the deliberate invaſions of right, and the neceſſity of maintaining the ballance of power. He has told us further, that attempts ſhould always be made to obtain redreſs by treaty, unleſs it be evident that redreſs cannot be ſo obtained. The honourable member from Georgia near me, informs us, that the thing we would obtain by war ſhould be important, & the ſucceſs probable, & that war ſhould be avoided until it be inevitable. The honourable member from Maryland (Mr. Wright) has explained to us the caſe cited by the gentleman from Kentucky, as being that of a wrong done by a private citizen. Under the weight of all this authority, and concurring with gentlemen in theſe their poſitions, I ſhall take leave to examine the great queſtion we are called on to decide. I ſhall moreover fully and entirely

agree with the honourable member near me in another point. He has, with the uſual rapidity of his mind, ſeized the whole object. He tells us, and he tells us truly, that the iſland of Orleans and the two Floridas are eſſential to this country—They are joined, ſays he, by God, and ſooner or later we *muſt* and *will* have them. In this clear and energetick ſtatement I fully agree; and the greater part of what I have to ſay will be but a commentary on the doctrines they have advanced, an elucidation of their poſitions, and the confirmation of that ſtrong concluſion.

In order to bring this extenſive ſubject within ſuch bounds as may enable us to take a diſtant view of its ſeveral parts, I ſhall conſider firſt, the exiſting ſtate of things: 2dly, the conſequence to the United States of the poſſeſſion of that country by France: 3dly, the conſequence to other nations: 4thly, the importance of it to France herſelf: 5thly its importance to the United States if poſſeſſed by them; and having thus examined the thing itſelf in its various relations, the way will be open to conſider, 6thly, the effect of negociation: and then 7thly, the conſequences to be expected from taking immediate poſſeſſion.

Before I conſider the exiſting ſtate of things, let me notice what gentlemen have ſaid in relation to it. The honourable member from Kentucky has told us, that indeed there is a right arreſted, but whether by authority or not, is equivocal. He ſays the repreſentative of Spain verily believes it to be an unauthoriſed act. My honourable colleague informs us there has been a claſhing between the governor and the Intendant. He ſays we are told by the Spaniſh miniſter it was unauthoriſed. Notwithſtanding theſe aſſurances, however, my honourable colleague has, it ſeems, ſome doubts—But nevertheleſs he preſumes innocence; for my colleague is charitable. The honourable member from Maryland goes farther, he tells us the miniſter of Spain ſays the Intendant had no ſuch authority; and the miniſter of France too, ſays there is no ſuch authority. Sir I have all poſſible reſpect for thoſe gentlemen, and every proper confidence in what they may think proper to communicate. I believe the Spaniſh miniſter has the beſt imaginable diſpoſition to preſerve peace; being indeed the expreſs purpoſe for which he was ſent among us. I believe it to be an object near to his heart, and which has a ſtrong hold upon his

affections. I reſpect the warmth and benevolence of his feelings, but he muſt pardon me that I am deficient in courtly compliment, I am a republican, and cannot commit the intereſts of my country to the goodneſs of his heart.

What is the ſtate of things? There has been a ceſſion of the iſland of New-Orleans and of Louiſiana to France. Whether the Floridas have alſo been ceded is not yet certain. It has been ſaid, as from authority, and I think it probable. Now ſir, let us note the time and the manner of this ceſſion. It was at or immediately after the treaty of Luneville, at the firſt moment when France could take up a diſtant object of attention. But had Spain a right to make this ceſſion without our conſent? Gentlemen have taken it for granted that ſhe had. But I deny the poſition. No nation has a right to give to another a dangerous neighbour without her conſent. This is not like the caſe of private citizens, for there, when a man is injured he can reſort to the tribunals for redreſs, and yet, even there, to diſpoſe of property to one who is a bad neighbour is always conſidered as an act of unkindneſs. But as between nations, who can redreſs themſelves only by war, ſuch tranſfer is in itſelf an aggreſſion. He who renders me inſecure, he who hazards my peace, and expoſes me to imminent danger, commits an act of hoſtility againſt me; and gives me the rights conſequent on that act. Suppoſe Great Britain ſhould give to Algiers one of the Bahamas, and contribute thereby to eſtabliſh a neſt of pirates near your coaſts, would you not conſider it as an aggreſſion?—Suppoſe during the late war you had conveyed to France a tract of land along Hudſon's river, and the northern route by the lakes into Canada, would not Britain have conſidered and treated it as an act of direct hoſtility? It is among the firſt limitations to the exerciſe of the rights of property, that we muſt ſo uſe our own as not to injure another; and it is under the immediate ſenſe of this reſtriction that nations are bound to act toward each other.

But it is not this transfer alone. There are circumſtances both in the time and in the manner of it which deſerve attention. A gentleman from Maryland (Mr. Wright) has told you that all treaties ought to be publiſhed and proclaimed for the information of other nations. I aſk, was this a publick treaty? No. Was official notice of it given to the government of this country? Was it announced to the Preſident of

the United States, in the uſual forms of civility between nations who duly reſpect each other? It was not. Let gentlemen contradict me if they can. They will ſay perhaps that it was the omiſſion only of a vain and idle ceremony. Ignorance may indeed pretend that ſuch communication is an empty compliment, which, eſtabliſhed without uſe, may be omitted without offence. But this is *not* ſo. If theſe be ceremonies they are not vain, but of ſerious import and are founded on ſtrong reaſon. He who means me well, acts without diſguiſe. Had this tranſaction been intended fairly, it would have been told frankly. But it was ſecret becauſe it was hoſtile. The Firſt Conſul in the moment of terminating his differences with you, ſought the means of future influence and control. He found and ſecured a pivot for that immenſe lever, by which, with potent arm, he means to ſubvert your civil and political inſtitutions. Thus, the beginning was made in deep hoſtility. Conceived in ſuch principles, it preſaged no good. Its bodings were evil, and evil have been its fruits. We heard of it during the laſt ſeſſion of congreſs, but to this hour we have not heard of any formal and regular communication from thoſe by whom it was made. Has the king of Spain? Has the Firſt Conſul of France no means of making ſuch communication to the Preſident of the United States? Yes, ſir, we have a miniſter in Spain; we have a miniſter in France. Nothing was eaſier, and yet nothing has been done. Our firſt magiſtrate has been treated with contempt; and through him our country has been inſulted.

With that meek and peaceful ſpirit now ſo ſtrongly recommended, we ſubmitted to this inſult, and what followed? That which might have been expected; a violation of our treaty. An open and direct violation by a publick officer of the Spaniſh government. This is not the caſe cited from one of the books. It is not a wrong done by a private citizen, which might for that reaſon be of doubtful nature. No—It is by a publick officer. That officer in whoſe particular department it was to cauſe the faithful obſervance of the treaty which he has violated. We are told indeed that there was a claſhing of opinion between the Governor and the Intendant. But what have we to do with their domeſtick broils? The injury is done, we feel it. Let the fault be whoſe it may the ſuffering is ours. But ſay gentlemen, the Spaniſh mini-

ſter has interfered to correct this irregular procedure. Sir, if the Intendant was amenable to the miniſter, why did he not inform him of the ſtep he was about to take, that the Preſident of the United States might ſeaſonably have been apprized of his intention, and given the proper notice to our fellow-citizens? Why has he firſt learnt this offenſive act from thoſe who ſuffer by it? Why is he thus held up to contempt and deriſion? If the Intendant is to be controled by the miniſter, would he have taken a ſtep ſo important without his advice? Common ſenſe will ſay no. But, the bitter cup of humiliation was not yet full. Smarting under the laſh of the Intendant, the miniſter ſoothes you with kind aſſurances, and ſends advice boats to announce your forbearance. But while they are on their way new injury and new inſult are added. The Intendant, as if determined to try the extent of your meekneſs, forbids to your citizens all communication with thoſe who inhabit the ſhores of the Miſſiſſippi. Though they ſhould be ſtarving, the Spaniard is made criminal who ſhould give them food. Fortunately the waters of the river are potable, or elſe we ſhould be precluded from the common benefits of nature, the common bounty of Heaven. What then, I aſk, is the amount of this ſavage conduct? Sir, it is war. Open and direct war. And yet gentlemen recommend peace, and forbid us to take up the gauntlet of defiance. Will gentlemen ſit here and ſhut their eyes to the ſtate and condition of their country? I ſhall not reply to what has been ſaid reſpecting depredations on commerce, but confine myſelf to objects of which there can be no ſhadow of doubt. Here is a vaſt country given away, and not without danger to us. Has a nation a right to put theſe ſtates in a dangerous ſituation? No, ſir. And yet it has been done, not only without our conſent previous to the grant, but without obſerving the common forms of civility after it was made. Is that wonderful man who preſides over the deſtinies of France ignorant or unmindful of theſe forms? See what was done the other day. He directed his miniſter to communicate to the Elector of Bavaria his intended movements in Switzerland and their object. He knew the elector had a right to expect that information, although the greater part of Swabia lies between his dominions and Switzerland. And this right is founded on the broad principles already mentioned.

As to the depredations on our commerce, they are numerous and of great importance, but my honourable colleague has told us our merchants are in a fair way of getting redreſs. I own ſir I am ſurprized at this information, which is, I preſume, a ſtate ſecret communicated from the executive department. My honourable colleague who is the pattern of diſcretion, and who was the monitor, threatened to be the caſtigator of thoſe who from treachery or weakneſs might betray or divulge the ſecrets of the Senate, cannot poſſibly allude to any thing on our files. He has therefore received this information from ſome other quarter, and I feel myſelf much obliged by his kind communication. But he muſt pardon me, ſir, that until it come forward in ſome body, ſhape, or condition which I can graſp, am compelled to with hold my faith.

Having thus examined the exiſtent ſtate of things, I proceed to conſider the conſequence to the United States reſulting from the poſſeſſion of that country by France. To this effect I ſhall ſuppoſe the Floridas to be included in her newly acquired dominion, and ſhall ſtate what I conceive to be the conduct which ſhe will purſue. She will I preſume conſider herſelf as not bound by our treaty with Spain. Declaring this to the inhabitants of the weſtern country, and repelling the claim of right, ſhe will (as matter of favour) give them unlimited freedom of trade to and from New-Orleans. At that place ſhe will continually raiſe a conſiderable duty on exports to pay the expence of her garriſons and of the civil adminiſtration. But to compenſate this, ſhe will probably give an excluſive privilege of commerce to her colonies, and obtain from Spain and Holland ſimilar privileges. Under theſe circumſtances let us examine the general and particular conſequences to this our country.

The general conſequences are thoſe which affect our commerce, our revenue, our defence, and what is of more importance even than theſe, our union. Your commerce will ſuffer becauſe you will no longer hold the means of ſupplying the Weſt-India iſlands ſubject to your ſingle control, and becauſe all the export from New-Orleans, being, of courſe, in French bottoms, your navigation will be proportionately diminiſhed. Your revenue will ſuffer as much as your commerce. The extenſive boundary of more than two thouſand miles will be ſtocked with goods for the purpoſe of contraband

trade. The inhabitants will naturally take their ſupplies in that way. You muſt therefore multiply your revenue officers and their aſſiſtants, and while your receipt diminiſhes, the expence of collection will be encreaſed. As to what regards your defence, it is evident that the decreaſe of your navigation and revenue muſt narrow your means of defence. You cannot provide the ſame force either by land or by ſea; but the evil does not ſtop there. With this country in your poſſeſſion you have means of defence more ample, more important, more eaſy than any nation on earth. In a ſhort time all the Weſt-India iſlands, fed from your granaries, muſt depend on your will. And in conſequence, all the powers of Europe who have colonies there, muſt court your friendſhip. Thoſe rich ſources of commercial importance will be as it were in your hands. They will be pledges for the amity of others in ſeas and dominions far remote. It is a defence which though it coſts you nothing, is ſuperior to fleets and armies. But let the reſources of America be divided (which muſt happen when the French are maſters of New-Orleans) and all this power and influence are gone. One half your reſources will be in their hands, and they will laugh at your feeble attempts with the other half. It is the intereſt of this country that the poſſeſſions of European powers in the Weſt-Indies ſhould be ſecured to them. And in this view of the ſubject it is important that the iſland of St. Domingo ſhould be ſubjected by France, it would therefore have been wiſe to have aided in that ſubjugation. There is indeed a ſpecial reaſon for it beyond the conſiderations of exterior policy. That event will give to your ſlaves the conviction that it is impoſſible for them to become free. Men in their unhappy condition muſt be impelled by fear and diſcouraged by deſpair. Yes.—The impulſion of fear muſt be ſtrengthened by the hand of deſpair. Conſider moreover your condition in the wars which are moſt likely to happen. Theſe muſt be either with France or England. If with France your interior is ruined; if with England the commerce of the Atlantic ſtates will be diſtreſſed, and that of the weſtern country too, though not perhaps in ſo great a degree. Thus let the war be with which ſoever of thoſe nations it may, one half of the United States muſt be peculiarly injured; and in all caſes it will be difficult for them to aſſiſt each other. The interior has no ſeamen for naval defence, the ſeaboard

can ſend few if any troops beyond the mountains. This powerful influence of one nation on one great diviſion of our country, and of another nation on the remainder will tend to diſunite us. The ridge of mountains will mark the line of diſtinct intereſts. The effect of thoſe differing intereſts will be felt in your counſels. It will be evidenced on this floor. This muſt be the caſe ſo long as man is man. Look I pray at thoſe nations. The enmity of France and England can terminate only by the ſubjection of one to the dominion of the other. It muſt be by the compleat exertion of force and the utter impoſſibility of reſiſtance. They are the Rome and Carthage of modern times. Their implacable ſpirit will ſtimulate them to attempt a diviſion of this country by ſentiments of hatred, deadly as their own. Theſe efforts will, I hope, be vain: but with ſuch powerful engines to operate on the intereſt and the will, is there not danger to that union ſo eſſential to our proſperity? There will be a conſtant ſtruggle in congreſs as to the kind of publick force which ought to be maintained. The one part will deſire an army, the other a navy. The unyielding ſpirit of party will perhaps prevent the ſupport of either; leaving the nation completely defenceleſs, and thereby increaſing the power of thoſe who may influence or command our deſtinies. For let it be remembered that a nation without publick force is not an independent nation. In a greater or ſmaller degree ſhe will receive the law from others.

Having thus conſidered the effect of this ceſſion upon the United States, in a general point of view, let us now examine it more particularly, as it regards the greater diviſions of our country, the weſtern, the ſouthern, the middle, and the eaſtern ſtates. I fear, ſir, I ſha'l detain you longer than I intended, certainly longer than the light of day will laſt, notwithſtanding my effort to compriſe what I have to ſay in the ſmalleſt compaſs. As to the weſtern ſtates, the effects will be remote and immediate. Thoſe more remote may be examined under the twofold aſpect of peace and war. In peace they will ſuffer the diminution of price for their produce. The The advantage of ſupplying the French, Dutch, and Spaniſh colonies may at firſt ſight lead to a different opinion; but when the port of New-Orleans is ſhut to all but French ſhips, there will no longer be that competition which now exiſts, and which always reſults in the higheſt price that commodities can

bear. The French merchants have neither the large capital, nor have they the ſteady temper and perſevering induſtry which foſter commerce. Their invariable object in trade is to acquire ſudden wealth by large profit; and if that cannot be done, they abandon the purſuit for ſome new project. Certain of the market, and certain of the increaſing ſupply, they will preſcribe the price both to thoſe who cultivate and to thoſe who conſume. Such will be the effect in peace. In a war with England the attention of her fleets to cut off ſupplies from her enemies muſt neceſſarily affect the price of produce in a ſtill greater degree; and in a war with France it will bear no price at all, until New-Orleans ſhall be wreſted from their graſp. Add to this the danger and the devaſtation from the troops of that country, aided by innumerable hoſts of ſavages from the weſtern wilds. Such being the evident effects to be produced in times not far remote, the preſent evil follows from the anticipation of them. The price of land muſt be reduced from the certainty that its produce will become leſs valuable. The flood of emigration to thoſe fertile regions muſt ceaſe to flow. The debts incurred in the hope of advantageous ſales muſt remain unpaid. The diſtreſs of the debtor muſt then recoil on his creditor, and, from the common relations of ſociety, become general.

What will be the effect on the ſouthern ſtates? Georgia, Carolina, and the Miſſiſſippi Territory are expoſed to invaſion from the Floridas and New-Orleans. There are circumſtances in that portion of America which render the invaſion eaſy, and the defence difficult. Penſacola, though the climate be warm, is among the healthieſt ſpots on earth. Not only a large garriſon, but an army may remain there without hazard. At Penſacola and St. Auguſtine forces may be aſſembled to operate in that ſeaſon of the year when the moraſſes which ſeparate them from our ſouthern frontier no longer breathe peſtilence. By what are thoſe armies to be oppoſed? Will you call the militia from the north to aſſiſt their ſouthern brethern? They are too remote. Will you to ſecure their ſeaſonable aid, bring them early to the fields they are ordered to defend? They muſt periſh. The climate more fatal than the ſword will deſtroy them before they ſee their foe. The country adjoining to our ſouthern frontier is now in poſſeſſion of the moſt numerous tribes of ſavages we are acquainted with. The

acceſs to it from New Orleans and the Floridas is eaſy and immediate. The toys and gewgaws manufactured in France will be ſcattered in abundance to win their affections and ſeduce them from their preſent connection. The talents of the French to gain the good will of the ſavages is well known, and the diſpoſition of thoſe uncultured men for war is equally notorious. Here then is a powerful inſtrument of deſtruction which may be uſed againſt you with ruinous effect. Beſides, What is the population of the ſouthern ſtates? Do you not tremble when you look at it? Have we not within theſe few days paſſed a law to prevent the importation of certain dangerous characters? What will hinder them from arriving in the Floridas and what can guard the approach from thence to our ſouthern frontier? Theſe pernicious emiſſaries may ſtimulate with a proſpect of freedom the miſerable men who now toil without hope. They may excite them to imitate a fatal example, and to act over thoſe ſcenes which fill our minds with horror. When the train ſhall be laid; when the conſpiracy ſhall be ripe; when the armies of France ſhall have reached your frontier, the firing of the firſt muſket will be a ſignal for general carnage and conflagration. If you will not ſee your danger now, the time muſt ſoon arrive when you ſhall feel it. The ſouthern ſtates being expoſed to ſuch imminent danger their repreſentatives may be made to know that a vote given in congreſs ſhall realize the worſt apprehenſions. You will then feel their danger even on this floor.

Such being the probable reſult, as to the ſouthern what will be to the middle ſtates? Their trade to the Weſt-India iſlands is gone the moment that country is in poſſeſſion of the French. England, to whoſe dominions alone they can have recourſe for the vent of their produce and the purchaſe of their ſupplies, will confine that commerce to her own ſhips. I ſay the moment the French are in poſſeſſion of New Orleans your Weſt India trade is gone. I do not mean that this effect will be ſudden as a flaſh of lightning, but it will be gone in a few years, which may be conſidered as a moment when compared with national exiſtence. You will then be dependent for that trade on the good will of England, and, as your navigation decreaſes, your dependence will be ſtill greater, becauſe you will rely on her navy for your protection. I again repeat that when it ſhall be a queſtion in your councils whether you

will have a navy, the increaſing weight of the weſtern country will be thrown into the ſcale of oppoſition. They will inſiſt on an army for their protection. My honourable colleague has expreſſed his fears from a ſtanding army. Sir, your preſent negligence will put you under the neceſſity of having ſuch an army, and expoſe you to all the conſequences to be apprehended from it. You may indeed remain united in a body as one nation, but with ſuch contrarient intereſts and opinions, with ſentiments and views ſo different, it will be a large and languiſhing body without a ſoul.

To the eaſtern ſtates, when ſeparately conſidered this may appear a matter of leſs moment than to the other great diviſions of our country. But they will perceive in it the loſs of their navigation; they will ſee the theatre of their induſtrious exertions contracted; they will feel the loſs of the productions of that weſtern world in the maſs of their commercial operations; and above all they will feel the loſs of an ample reſource for their children. Theſe weſtern regions are peculiarly their heritage. It is the property of the fathers of America which they hold in truſt for their children. The exuberant population of the eaſtern ſtates flows in a ſteady ſtream to the weſtern world, and if that be rendered uſeleſs, or paſs under the dominion of a foreign power, the faireſt hope of poſterity is deſtroyed. The time may come, and I fear it will come, when thoſe who croſs the mountains will croſs the line of juriſdiction. Whether we conſider therefore this object in its relations to our general policy, or examine its bearings on the greater diviſions of our country, we find ample reaſon to agree with the gentleman near me, that New-Orleans and the Floridas muſt not be ſeparated from the United States.

Let us now conſider the conſequence of the ceſſion we complain of to other nations, and this we may do generally and then more eſpecially as to thoſe who have a direct and immediate intereſt in the tranſaction. In a general view the firſt prominent feature is the coloſſal power of France. Dangerous to Europe and to the world, what will be the effect of a great encreaſe of that power! Look at Europe. One half of it is blotted from the liſt of empire. Auſtria, Ruſſia, Pruſſia, and Britain are the only powers remaining, except Sweden and Denmark, and they are paralized. Where

is Italy, Switzerland, Flanders, and all Germany weſt of the Rhine? Gone, ſwallowed up in the empire of the Gauls. Holland, Spain, Portugal, reduced to a ſtate of ſubmiſſion and dependence—What is the ſituation of the powers that remain? Auſtria is cut off from Italy, the great object of her ambition for more than three centuries; long the rival of France, long ballancing with the Bourbons the fate of Europe, ſhe muſt now ſubmit, and tacitly acknowledge to the world the ſuperiority of her foe, and her own humiliation. Pruſſia, under the auſpices of the great Frederick was at the head of a Germanick league to ballance the imperial power. Though united with Auſtria for a moment in the hollow league of the coalition, ſhe has, like Auſtria, been actuated by a blind jealouſy, and favouring the operations of France for the ruin of her rival, expected to ſhare largely in the general ſpoil. In this fond hope ſhe is diſappointed; ſhe now ſees the power of France at her door. There is not a fortreſs from the Rhine to the Baltic, except Magdebourgh, which the Firſt Conſul may leave on his left. The fertile plains near Leipſic contain the magazines for his armies when he ſhall think proper to march to Berlin. Weſtphalia and lower Saxony are open, on the ſide of Flanders and Holland. The Maine preſents him a military road to the borders of Bohemia. By the Necker he approaches Ulm, and eſtabliſhes himſelf on the Danube. Theſe rivers enable him to take the vaſt reſources of his wide domain to the point where he may wiſh to employ them. Menacing at pleaſure his neighbours, he is himſelf ſecured by a line of fortreſſes along his whole frontier. Switzerland, which was the only feeble point of his defence, and which ſeparated his Gallic and Italian dominions, has lately been ſubjected. The voice you now hear warned the Swiſs of their fate more than eight years ago. The idea ſeemed then extravagant; but realized, it appears but as a neceſſary incident. Ruſſia is deprived of her influence in Germany, and thereby of a principal inſtrument by which her policy might operate on the great powers of the ſouth. The Germanick body is indeed in the hand of the Firſt Conſul. Three new electors along the Rhine are under the mouths of his cannon. They dare not ſpeak—Speak! None dare ſpeak—*They* dare not *think* any thing inconſiſtent with his wiſhes. Even at their courtly feaſts they ſit like Damocles, deſtruction ſuſpended over

their heads by a ſingle hair. Would you know the ſentiment of England? Look at the debates. In the two houſes of parliament they ſpeak their fears. Such being the general ſentiment of Europe, can it be ſuppoſed that they will view without anxiety a new extenſion of that power and dominion, the object of their hatred and apprehenſion?

Will it be ſaid that there is a ſecurity to the freedom of mankind from the moderation with which this enormous power is to be exerciſed? Vain deluſion! This power is not the reſult of accident. At the moment when France dethroned her ſovereign it was eaſy to foreſee that a conteſt muſt enſue in which her exiſtence would be ſtaked againſt the empire of the world. If not conquered by ſurrounding princes (and the hope of ſuch conqueſt unleſs by the aid of her own citizens was idle) her numerous armies acquiring diſcipline muſt eventually conquer. She had the advantages of ſituation, and thoſe which reſult from union oppoſed to councils uncertain and ſelfiſh. It was eaſy alſo to foreſee that, in the ſame progreſs of events, ſome fortunate ſoldier would ſeat himſelf on the vacant throne: for the idea of a French republick was always a ridiculous chimera. Bonaparte has placed himſelf at the head of that nation by deeds which caſt a luſtre on his name. In his ſplendid career he muſt proceed. When he ceaſes to act he will ceaſe to reign. Whenever in any plan he fails, that moment he falls. He is condemned to magnificence. To him are forbidden the harmonies and the charities of ſocial life. He commands a noble and gallant nation paſſionately fond of glory. That nation ſtimulates him to glorious enterprize, and becauſe they are generous and brave they enſure his ſucceſs. Thus the ſame principle preſents at once the object and the means. Impelled by imperious circumſtances he rules in Europe, and he will rule here alſo, unleſs by vigorous exertion you ſet a bound to his power.

Having caſt thus a rapid glance on the general ſtate of Europe it remains to look particularly at the condition of England and Spain ſo far as they may be affected by the ceſſion of thoſe provinces to France. England will ſee in it an encreaſe of commerce and naval force for her rival. She will ſee imminent danger to her iſlands and particularly to Jamaica. The climate of Penſacola has already been noticed. The poſition is of incalculable moment. During the ſickly and

hurricane ſeaſon, fleets and armies may wait there in ſafety till their enemy ſhall be enfeebled and unprotected. Where will the Britiſh fleets and armies be ſtationed with equal advantage? If they aſk an aſylum in your ports, you muſt refuſe; for ſhould you liſten to any ſuch propoſition your kindneſs would be conſidered as a hoſtile aggreſſion. The influence of France on the United States (which has already been noticed) will give double weight to her repreſentations. And this very influence is among the effects which Britain muſt deprecate. I have not time to dwell on this ſubject, nor many others as fully as I ought. The condition of Spain is not leſs worthy of notice. No two nations on earth have more rooted hatred for each other than France and Spain. There are none more different in eſſential points of character. United however under ſovereigns of the ſame family, theſe antipathies were wearing away. But the fatal ſtroke which deſtroyed the French monarch has ſevered that band. Force has ſince produced not union, but ſubmiſſion. It is not in nature that the Spaniſh king ſhould foſter kindly ſentiments for him who has decked himſelf in the ſpoil of his houſe. The proud, the brave, and the loyal Caſtilian groans under the yoke which galls him, but which he cannot break, and ſickens at the recollection of his antient glory. His deep reſentments are known, and it is to prevent their effects that he has been compelled to make the ceſſion of theſe provinces. France will then hold at her diſcretion the Spaniſh treaſures, and the rich provinces of the New World. At the firſt ſympton of hoſtile ſentiment ſhe arreſts the means of aggreſſion. Thus the dependence of Spain is rendered abſolute, and her chains are riveted for ever. Does Spain behold this ſtate of things with calm indifference? No. She feels all the pangs of wounded pride driven to the neceſſity of perpetuating its own humiliation.

A few words after what has already been ſaid will ſuffice to ſhew the importance of theſe provinces to France. This reſults from the influence on her rival, on Spain, and on the United States; by means of the poſition, the reſources and the means of aggreſſion which thoſe provinces afford. Enough has been ſaid of the poſition. The reſources are great and encreaſing. Not only cotton and indigo will be furniſhed for her manufactures, but ſupplies and ſubſiſtence for her colonies and her troops. Theſe reſources too will be at the

very point moſt important both for defence and aggreſſion. The ſame force will be ready to operate either againſt England, Spain, or America. Thus that force will be tripled in its moral effect, and influence alike the conduct of all againſt whom it may be directed. To what has been ſaid on the facility with which we may be aſſailed I might add much, but it is unneceſſary. It behoves us however to conſider well the ſpirit of the French government, which in all its changes has never loſt ſight of this object. The French miniſter Mons. De la Luzerne, when congreſs were deliberating on the ultimata for peace, obtained a reſolution that our miniſters ſhould, as to our weſtern boundary, treat under the dictation of France. Our miniſters diſdained the condition, and refuſed to obey. Their manly conduct obtained for you the countries whoſe fate is now ſuſpended on your deliberations. Never, no never has France loſt ſight of Louiſiana. Never for a moment has ſhe been blind to its importance. Thoſe who, driven from her boſom into exile, wandered about among us, have gathered and communicated the fulleſt information. While they enjoyed your hoſpitality they probed your weakneſs, and meditated the means of controlling your conduct. Whatever may be the fair appearances, rely on it that every Frenchman bears with him every where a French heart, and ſo he ought. I honour him for it. O! that Americans had always an American heart!

It remains to notice the advantage of this country to the United States, as it may relate to our power, our peace, our commerce, and above all, to our freedom. As to our power ſomething has already been ſaid on the peaceful influence which reſults from the dependence of colonies belonging to the great nations of Europe—add to this that the product of thoſe colonies muſt paſs by our doors and be expoſed to our cruiſers. A further advantage is to be found in the ready means of invaſion (in concert with the troops of others) if driven to the neceſſity of war. The poſſeſſion of power will give us not only ſecurity but peace. Peace indeed can never be ſafe but by the aid of power. Our diſpoſition is pacifick. It is our intereſt to be at peace, and the form of our government while it ſecures to us the enjoyment of as much liberty as is poſſible, renders it particularly imprudent to riſque in war any change of the conſtitution. Grant us theſe pro-

vinces and we can dictate the conditions of our commerce with the iſlands. Poſſeſſed of them it will be doubly lucrative, and without them wholly uncertain. There is another ſtream of profitable trade which will then flow in our channels. The riſque and difficulty which Spain experiences in bringing home her treaſures when ſhe is at war, will naturally ſuggeſt the advantage of remitting them through this country. The Produce of the Mexican mines may then be ſhipped directly to Aſia. It will be paid for to Spain by bills on the commercial nations, and thus furniſh to her the eaſy means of obtaining the ſupplies ſhe may ſtand in need of. The bullion will be ſo much the more valuable as the danger and expence of tranſportation are diminiſhed. This, therefore, would have a beneficial reſult upon the whole commercial world. It would more eſpecially emancipate Spain from her preſent thraldom. It would give a happy change to all her interior adminiſtration, and increaſe both her abſolute and relative force. Let me ſay here that it is our intereſt to preſerve the authority of Spain over her American territory. We have enough of our own. We can have no wiſh to extend our dominion. We want men, not land. We are therefore the natural and the ſafe guardians of Spain. On us ſhe may rely with perfect confidence. We can derive from that commerce, which it is her intereſt to permit, all the advantage we ought to aſk But great as are the benefits which will reſult from the poſſeſſion of the Floridas and New-Orleans, great as is their tendency to advance our power, ſecure our peace, and extend our commerce, there is a conſideration in compariſon with which commerce, peace, and power are but of ſlight avail. Theſe provinces will fortify the defences of our freedom. My honourable colleague has ſtated to you his apprehenſions from ſtanding armies. And yet, ſir, if we be not poſſeſſed of this territory, ſtanding armies become neceſſary. Without an impoſing military force the inhabitants of the weſtern country will be in ſuch immediate danger, that they muſt league with a neighbour who will have every thing to offer, and from whom they will have every thing to fear. This will lead to the worſt of all wars, to civil war. and when that ſhall happen, liberty will ſoon be loſt. The army which has defeated one half the nation will eaſily lend itſelf to enſlave the other. Such is the hiſtory, and ſuch will ever be the fate of man. In this view then,

above all others, is that poſſeſſion moſt precious. When it is in our hands we need no ſtanding army. We can turn our whole attention to naval defence, which gives compleat ſecurity both at home and abroad. When we have twenty ſhips of the line at ſea, and there is no good reaſon why we ſhould not have them, we ſhall be reſpected by all Europe. The ſenſe of ſecurity reſulting from ſuch force muſt give a new ſpring to induſtry and encrease the ſtock of national wealth. The expence compared with the benefit is moderate, nay, trifling. And let me here ſay one word as to national expence. Sir, whatever ſums are neceſſary to ſecure the national independence muſt be paid. They will not amount to one half of what it muſt coſt us to be ſubdued. If we will not pay to be defended, we muſt pay for being conquered. There is no medium, and but the ſingle alternative. In the proper expenditure for defence, therefore, is true economy, and every pitiful ſaving inconſiſtent with that object, is the worſt, the moſt profligate profuſion.

Having now conſidered, in its various relations, the importance of theſe provinces, the way is open to eſtimate our chance of obtaining them by negotiation. Let me aſk on what ground you mean to treat? Do you expect to perſuade? Do you hope to intimidate? If to perſuade, what are your means of perſuaſion? Every gentleman admits the importance of this country. Think you the Firſt Conſul, whoſe capacious mind embraces the globe, is alone ignorant of its value? Is he a child whom you may win by a rattle to comply with your wiſhes? Will you, like a nurſe, ſing to him a lullaby? If you have no hope from fondling attentions and ſoothing ſounds, what have you to offer in exchange? Have you any thing to give which he will take? He wants power. You have no power. He wants dominion. You have no dominion. At leaſt none that you can grant. He wants influence in Europe. And have you any influence in Europe? What, in the name of Heaven, are the means by which you would render this negociation ſucceſsful? Is it by ſome ſecret ſpell? Have you any magick power? Will you draw a circle and conjure up devils to aſſiſt you? Or do you rely on the charms of thoſe beautiful girls with whom the gentleman near me ſays the French grenadiers are to incorporate? If ſo why don't you ſend an embaſſy of women? Gentlemen talk of the principles of our

government, as if *they* could obtain for us the desired boon. But what will these principles avail? When you enquire as to the force of France, Austria, or Russia, do you ask whether they have a habeas corpus act or a trial by jury? Do you to estimate their power discuss their interior police? No. The question is, How many battalions have they? What train of artillery can they bring into the field? How many ships can they send to sea? These are the important circumstances which command respect and facilitate negociation. Can you display these powerful motives? Alas! Alas! To all these questions you answer by one poor word—confidence—confidence—confidence—Yea, verily, we have confidence—We have faith and hope, aye: and we have charity too. Well—Go to market with these christian virtues and what will you get for them? Just nothing. Yet in the face of reason and experience you have confidence: but in whom? Why, in our worthy president. But he cannot make the treaty alone. There must be two parties to a bargain. I ask if you have confidence also in the First Consul? But whither, in the name of Heaven, will this confidence lead, and to what does it tend? The time is precious. We waste, and we have already wasted moments which will never return. You have already tried negociation. I say you have tried it, because I know you have a minister in France, and I am sure the first magistrate of our country cannot have been so negligent as not to pay attention to a subject which is confessedly of such magnitude. You have then negotiated. And with what success? Why, instead of defeating the cession you have closed the river. Instead of obtaining any advantage by a *new* treaty, you have lost the benefit of an old one.—Such are the results of your negotiation in Europe. In this country you have negotiated to get back the privilege you are robbed of: and what follows? A prohibition to touch their shores. Instead of restoring the rights of treaty, they cut you off from the rights of humanity. Such is your splendid success from negotiation; and yet gentlemen tell us we must continue to negotiate. The honourable member from Kentucky says that great lengths are gone in enquiring into and rectifying the irregular procedure—He tells us a minister is just appointed and it would therefore be inconsistent to fight just now: that moreover it would degrade the President's authority, and defeat his mea-

ſures. The gentleman from Georgia ſays we have no right to go to war till there ſhall be a refuſal on the part of Spain; and my honourable colleague aſſures us that if our wrongs are redreſſed by negociation we can have no complaint. As to the lengths which are gone, it is for thoſe gentlemen to appreciate their value who know what they are. I profeſs my ignorance, and judging by effects, muſt withhold my confidence. If we muſt wait for a pointed refuſal before we do ourſelves right, I venture to predict a delay fatal to the peace of this country. But, Sir, what is it we are to aſk, the refuſal of which will juſtify war? Is it (as my honourable colleague ſuppoſes) a mere reſtitution of a privilege wrongfully taken away? Sir, I anſwer in the words of the reſolutions moved by my friend. "It does not conſiſt with the dignity of this country to hold a right ſo important by a tenure ſo uncertain." But the honourable member from Maryland has told us that we need not croſs the Atlantick to ſeek for precedents, that we have enough on our own archives; and he has had the goodneſs to mention our humble petitions preſented to the king of Great Britain in 1775. We ſent, ſays he, petition after petition. I am ſure that honourable member has no wiſh that a miniſter ſhould be ſent to bear our humble petitions to the footſtool of the Firſt Conſul's throne. But, Sir, whether we treat or pray it will end as it did in 1775, by war, unleſs we are determined to give up that independence which we then fought to eſtabliſh. Let us conſider a moment the natural courſe of this negociation. It is the intereſt of France to foſter in us a hope from treaty, until ſhe has put herſelf in a condition to fruſtrate all other hope. There can be no queſtion therefore that ſhe has avoided, and will avoid a direct refuſal. And as long as we are content to accept of ſmooth ſpeeches, general aſſurances, vague aſſertions, and looſe evaſions, we ſhall have no want of that court currency. But why (it may be ſaid) has ſhe not already taken poſſeſſion? Becauſe her original plans have been greatly deranged. St. Domingo preſented obſtacles unexpected, and that enterpriſe muſt not be abandoned, for though the iſland may not in itſelf be of much conſequence, though it muſt be ruined before it can be conquered, yet conquered it muſt be, for the world muſt continue to believe that the Firſt Conſul cannot fail in what he has undertaken. Much of his power reſts on that opinion, and it muſt

therefore be maintained. But there are other incidents beſide thoſe of St. Domingo which have had the ſame tendency. There followed on the general peace a ſerious diſcuſſion of the German indemnities; then the affairs of Italy; lately of Switzerland; and during the whole momentous period it was doubtful how far England would bear a continued invaſion of the liberties of Europe. And it was evident that ſhould the war recommence with England, the force ſent to this country would be totally loſt. It was important therefore to gain time; and for that very reaſon we ſhould have inſiſted on an immediate deciſion. Such then is the ſtate of this treaty ſo fondly deſired. A treaty by which we are to aſk much and offer nothing. A negociation in which we have no means to perſuade. Have we any to intimidate? Where is your publick force? You have none; and ſeem reſolved not to have or uſe any. My honourable colleague tells us that war will encreaſe our debt one hundred millions, and that our people are not fond of taxes. He ſays we are trying a *new* experiment to pay our debts in a given period, which war would derange. It would injure, moreover, our pacifick character, and might *draw down* the jealouſy of all nations who have colonies. He believes that three fourths of our people are oppoſed to war, but yet he thinks that nine months hence we ſhall be in a better condition. What is the effect of this language? Is it not to convince the adverſe party that he has nothing to fear fr a refuſal? As to this experiment for the payment of our debts, whether it have the merit of novelty I ſhall not enquire; but I am bold to aſſert that the merit, be it what it may, is due to one of my worthy friends who formerly adminiſtered our finances. The ſame plan alſo has been adopted by another great ſtatesman, (Mr. Pitt) who has for many years paſt provided regularly a fund to liquidate in a given period each debt which his nation has incurred. But does England truſt her ſafety to the protection of her ſinking fund? No. She has fifty thouſand ſeamen employed and a hundred thouſand ſoldiers—Theſe form the ſhield of her defence. A gentleman near me has told us that in caſe of war our mercantile capital is expoſed in every part of the world. To this I anſwer, firſt, that the ſame objection will apply with equal weight upon any and every occaſion. But further, I ſay the argument is directly and completely againſt him. How

does it ſtand? He admits that if negociation fails he will draw the ſword. He goes further, and ſays he will throw away the ſcabbard. Now, ſir, it is clear that if we operate at once, notice may be given to our merchants. Advices may be ſent in ſeaſon to every ſea. And here let me ſay that it is a duty of the government to apprize both our inſurers and ſhippers of their dangerous ſituation. It is unwiſe as well as unjuſt to lull them into a fatal ſecurity. But ſuppoſe the treaty ſhall fail, and remember that the ſucceſs or failure depends on Bonaparte, he will weigh the preſent declarations and act accordingly. He will commence a war on your commerce long before you know that war exiſts. I ſay therefore the argument is directly againſt the gentleman who uſed it. And here let me ſay one word on the comparative merits of the reſolutions on your table. Thoſe moved by my honourable friend give the Preſident command not only of the militia but of the naval and military force. They place money at his diſpoſal, and what is moſt important, they put it in his power to uſe theſe efficient means. The reſolutions moved as an amendment authorize indeed a call for a greater number of militia, but when called they can do nothing but conſume their rations. There is no power to bring them into action, and of courſe the expence is uſeleſs, even for the purpoſe of influence.

Having endeavoured to ſhew that we have no hope from treaty, it only remains to conſider the natural effect taking an immediate poſſeſſion. Againſt this meaſure, s been ſaid, that war, inſtead of giving relief, will abſolu ſhut up the Miſſiſſippi. That a ſingle ſeventy-four in the mouth of that river would ſtop it effectually. I believe, ſir, it would not only ſtop but turn it; for a ſeventy-four would run aground and obſtruct the channel. But what is the amount of theſe obſervations? The gentlemen all agree that if they cannot obtain their object without war, they will fight for it. The miſchief they deprecate muſt therefore arrive, unleſs there be a well grounded hope from treaty, and the only difference is, that they are willing to take a longer term of ſufferance, becauſe they have a ſtronger expectation of relief without the exertion of force. I have no ſuch expectation. I ſhall therefore proceed to conſider what will follow if we take poſſeſſion *without* a previous alliance with Britain, or

with ſuch an alliance. I have heard it urged in converſation that ſuch alliance ſhould firſt be made, and therefore I think it proper to take up the ſubject in debate. I cannot however but remark on the different language now held from that which we heard a year ago. Then it was the faſhion to ſay, we had nothing to do with other nations. And when a man of plain ſenſe obſerved that this diſpoſition was of little avail becauſe other nations would have ſomething to do with us; and when the particular danger we now ſee was pointed out; Oh then, to be ſure, there was nothing to apprehend from our dear ſiſter republick. I cenſure no man for adopting other and wiſer principles. I have no queſtion but that as gentlemen proceed in the buſineſs of government they will ſee the folly of many other fanciful notions, but I muſt entreat them not to fly from one extreme to the other. I heſitate not to give my opinion that we ought to take poſſeſſion without conſulting Great Britain. And having done ſo let us declare to France that we mean to live with her in perfect amity. Let us offer every aſſiſtance in our power to conquer and preſerve St. Domingo. Let us ſhew her that we have done an act of mere defence. Let us prove our pacifick diſpoſition by declaring that we are under the tie of no obligation to her rival. To Spain let us hold a ſimilar language. Let us point out her preſent danger and demonſtrate the utility of our poſſeſſion. To both let us offer to relinquiſh our claim for ſpoliations on our commerce and pay our own merchants. We can well afford to purchaſe with that price, a price paid to ourſelves. Finally, if our repreſentations do not produce the deſired effect, let us tell them that we will ally ourſelves to England, and aid in the conqueſt of all their American dominions. Sir this language will be liſtened to. Rely on it that under ſuch circumſtances neither France nor Spain dare ſend hither a ſingle regiment or a ſingle ſhip. The exiſtence of the Britiſh naval force will alone produce all the effect you could aſk from its operation. But what are we to hope from a delay until an alliance ſhall be made? What will be the ſtipulations of the treaty of alliance? Theſe may be more or leſs onerous or pernicious. Certainly the Britiſh miniſter will not hazard the fate of his nation without the hope of ſome correſpondent advantage. One ſtipulation is certain. We muſt agree to continue the war until a peace can be obtained by common conſent: and this

is preciſely the ſtipulation which we ought not to make, if it can be avoided; becauſe we ſhall then be no longer maſters of our exterior relations. To this it may be objected, that we cannot expect aid from Britain without a previous treaty. I aſk what reliance you have for aid *with* treaty? The anſwer is, that it will be her intereſt. And, ſir, it is her intereſt to give that aid without treaty.

I have now gone through this tedious diſcuſſion. I have treſpaſſed on your patience more than I wiſhed, although from the lateneſs of the hour much has been omitted of what I ought to have ſaid. I have endeavoured to ſhew that under the exiſting circumſtances, we are now actually at war, and have no choice but manly reſiſtance or vile ſubmiſſion. That the poſſeſſion of this country by France is dangerous to other nations, but fatal to us. That it forms a natural and neceſſary part of our empire, that to uſe the ſtrong language of the gentleman near me, it is joined to us by the hand of the Almighty, and that we have no hope of obtaining it by treaty. If indeed there be any ſuch hope, it muſt be by adopting the reſolutions offered by my honourable friend. Sir, I wiſh for peace—I wiſh the negociation may ſucceed, and therefore I ſtrongly urge you to adopt thoſe reſolutions. But though you ſhould adopt them, they alone will not inſure ſucceſs. I have no heſitation in ſaying that you ought to have taken poſſeſſion of New-Orleans and the Floridas the inſtant your treaty was violated. You ought to do it now. Your rights are invaded, confidence in negociation is vain: there is therefore no alternative but force. You are expoſed to imminent preſent danger. You have the proſpect of great future advantage. You are juſtified by the cleareſt principles of right. You are urged by the ſtrongeſt motives of policy. You are commanded by every ſentiment of national dignity. Look at the conduct of America in her infant years. When there was no actual invaſion of right, but only a claim to invade—She reſiſted the claim. She ſpurned the inſult. Did we then heſitate? Did we then wait for foreign alliance? No—animated with the ſpirit, warmed with the ſoul of freedom, we threw our oaths of allegiance in the face of our ſovereign, and committed our fortunes and our fate to the God of battles. We then were ſubjects. We had not then attained to the dignity of an independent republick. We then had no rank among

the nations of the earth. But we had the ſpirit which deſerved that elevated ſtation. And now that we have gained it, ſhall we fall from our honour?

Sir, I repeat to you that I wiſh for peace: real, laſting, honourable peace. To obtain and ſecure this bleſſing let us by a bold and deciſive conduct convince the powers of Europe that we are determined to defend our rights; that we will not ſubmit to inſult, that we will not bear degradation. This is the conduct which becomes a generous people. This conduct will command the reſpect of the world. Nay ſir, it may rouſe all Europe to a proper ſenſe of their ſituation. They ſee that the ballance of power on which their liberties depend, is, if not deſtroyed, in extreme danger. They know that the dominion of France has been extended by the ſword over millions who groan in the ſervitude of their new maſters. Theſe unwilling ſubjects are ripe for revolt. The empire of the Gauls is not like that of Rome ſecured by political inſtitutions. It may yet be broken. But whatever may be the conduct of others, let us act as becomes ourſelves. I cannot believe with my honourable colleague that three fourths of America are oppoſed to vigorous meaſures. I cannot believe that they will meanly refuſe to pay the ſums needful to vindicate their honour and ſupport their independence. Sir this is a libel on the people of America. They will diſdain ſubmiſſion to the proudeſt ſovereign on earth. They have not loſt the ſpirit of ſeventy-ſix. But ſir, if they are ſo baſe as to barter their rights for gold, if they are ſo vile that they will not defend their honour, they are unworthy of the rank they enjoy, and it is no matter how ſoon they are parcelled out among better maſters.

My honourable friend from Pennſylvania, in opening this debate, pledged himſelf and his friends to ſupport the executive government if they would adopt a manly conduct. I have no heſitation to renew that pledge. Act as becomes America and all America will be united in your ſupport. What is our conduct? Do we endeavour to fetter and trammel the executive authority? Do we oppoſe obſtacles? Do we raiſe difficulties? No. We are willing to commit into the hands of the chief magiſtrate the treaſure, the power, and the energies of the country. We aſk for ourſelves nothing. We expect nothing. All we aſk is for our country. And although we do not be-

lieve in the ſucceſs of treaty, yet the reſolutions we move and the language we hold are calculated to promote it.

I have now performed, to the beſt of my power, the great duty which I owed to my country. I have given that advice which in my ſoul I believe to be the beſt. But I have little hope that it will be adopted. I fear that by feeble councils we ſhall be expoſed to a long and bloody war. This fear is perhaps ill founded, and if ſo I ſhall thank God that I was miſtaken. I know that in the order of his Providence the wiſeſt ends frequently reſult from the moſt fooliſh meaſures. It is our duty to ſubmit ourſelves to his high diſpenſations. I know that war, with all its miſery, is not wholly without advantage. It calls forth the energies of character, it favours the manly virtues, it gives elevation to ſentiment, it produces national union, generates patriotick love, and infuſes a juſt ſenſe of national honour. If then we are doomed to war, let us meet it as we ought; and when the hour of trial comes, let it find us a band of brothers.

Sir, I have done, and I pray to Almighty God that this day's debate may eventuate in the proſperity, the freedom, the peace, the power, and the glory of our country.

ERRATA.

The reader is requested to make the following corrections.

Page 22, line 19 from the top, strike out *refutation* and insert *reputation*.

Page 30, line 7 from the top, strike out *and* in the beginning of the line, and insert it after the word *monitor*, in the same line.

Page 30, line 14, between the words *grasp* and *am*, insert *I*.

Page 30, line 25, strike out the word *continually*, and insert in place of it *eventually*.

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